





Docket No.: 50006-07

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
 Jiro MATSUFUSA, et al. :  
 Serial No.: 09/620,718 : Group Art Unit: 2814  
 Filed: July 20, 2000 : Examiner: Ginette PERALTA  
 For: SEMICONDUCTOR DEVICE HAVING TEST MARK

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 TECHNICAL STAFF  
 12/20/02

**AMENDMENT UNDER 37 C.F.R. 1.111**

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the June 19, 2002 non-final Office Action, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please amend/replace claim 1 as follows:

1. (Amended) A semiconductor device having a test mark comprising:
  - a semiconductor substrate;
  - a first TEOS layer formed on said semiconductor substrate;
  - a second TEOS layer formed on said first TEOS layer and having a lower fluidity than that of said first TEOS layer at an elevated temperature;
  - a recess formed in said first and second TEOS layers and exposing the surface of said semiconductor substrate, wherein the horizontal cross-section of said recess is substantially